

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK (Manhattan)**

In re:

Silvana Anello,

Debtor.

Chapter 13

Case No. 18-10019-cgm

**ORDER TERMINATING AUTOMATIC STAY**

**WHEREAS**, pursuant to the motion of the secured creditor, Shellpoint Mortgage Servicing as servicing agent for MTGLQ Investors, L.P., (the “Movant”), for an Order vacating the automatic stay pursuant to §362(d)(1) and (2) of the Bankruptcy Code and to permit Movant, to exercise all of its rights and remedies with respect to the real property located at 1856 Tomlinson Avenue, Bronx, NY 10461 (the “Premises”) and;

**WHEREAS**, after a hearing and due consideration having been had, the Court is of the opinion that the relief prayed for in the motion should be granted; It is accordingly;

**ORDERED**, that the automatic stay pursuant to §362 (a) of the Bankruptcy Code as against Movant with respect to the Premises, is hereby vacated; and it is further

**ORDERED**, that Movant, be, and hereby is, authorized to pursue a mortgage foreclosure proceeding in the New York State Supreme Court with respect to the Premises without further Order of this Court; and it is further

**ORDERED**, that in the event the foreclosure sale results in surplus monies, the attorney for the Applicant shall notify the Trustee, in writing, within ten (10) days of the sale of the

existence of said surplus monies. Any rights which the trustee has in said surplus monies are preserved; and it is further

**ORDERED**, that unless specifically provided in the loan documents signed by the Debtor, the Movant may not collect fees, expenses or other charges associated with the current or subsequent mortgage servicer.

**Dated: June 22, 2018**  
**Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

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**Hon. Cecelia G. Morris**  
**Chief U.S. Bankruptcy Judge**